

Person to Contact: [REDACTED]  
Telephone Number: [REDACTED]  
Refer Reply to: [REDACTED]

Date: JAN 25 1989

Dear Applicant:

We have considered your application for recognition of exemption from Federal Income Tax under Section 501(c)(6) of the Internal Revenue Code.

The information submitted discloses that you were formed in [REDACTED]

The purpose as shown in your Constitution is to review, comment, and exchange information on products, services, and operations related to the equipment needed to qualify for [REDACTED] membership; and to communicate user requirements in all areas of common interest. You are a formal information network for users of [REDACTED]

According to your application, the primary activity of your organization consists of annual meetings with your members to discuss new products and progress on projects under way at user institutions.

Your organization is a membership organization. Qualifications for membership consist of individuals who have installed or have on order [REDACTED] products.

Section 501(c)(6) of the Internal Revenue Code provides for exemption of "business leagues, chambers of commerce, real estate boards, boards of trade, or professional football leagues (whether or not administering a pension fund for football players), not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

| Code    | Initiator  | Reviewer   | Reviewer   | Reviewer   | Reviewer   | Reviewer   |
|---------|------------|------------|------------|------------|------------|------------|
| Surname | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| Date    | 1/4/89     | 1/6/89     | 1/20/89    | 1-20-8     | 1-23-8     | 1/23/89    |

Section 1.501(c)(6)-1 of Income Tax Regulations reads as follows:

"BUSINESS LEAGUES, CHAMBERS OF COMMERCE, REAL ESTATE BOARDS AND BOARDS OF TRADE. A business league is an association of persons having some common business interest, the purpose of which is to promote such common interest and not to engage in a regular business of a kind ordinarily carried on for profit. It is an organization of the same general class as a chamber of commerce or board of trade. Thus, its activities should be directed to the improvement of business conditions of one or more lines of business as distinguished from the performance of particular services for individual persons. An organization whose purpose is to engage in a regular business of a kind ordinarily carried on for profit, even though the business is conducted on a cooperative basis or produces only sufficient income to be self-sustaining, is not a business league. An association engaged in furnishing information to prospective investors, to enable them to make sound investments, is not a business league, since its activities do not further any common business interest, even though all of its income is devoted to the purpose stated. A stock or commodity exchange is not a business league, a chamber of commerce, or a board of trade within the meaning of section 501(c)(6) and is not exempt from tax. Organizations otherwise exempt from tax under this section are taxable upon their unrelated business taxable income. See sections 511 to 515, inclusive and the regulations thereunder".

Revenue Ruling 83-164, 1983-2 C.B. 95, states an organization whose members represent diversified businesses that own, rent, or lease computers produced by a single computer manufacturer does not qualify for exemption from federal income tax as a business league under Section 501(c)(6) of the Code. The organization did not improve business conditions of a line of business.

We have concluded that you do not qualify for exemption from Federal Income Tax as an organization described in Section 501(c)(6) of the Internal Revenue Code. Because your primary activity is promoting the common business interests of users of one particular brand of computer you are not improving business conditions of a line of business. Accordingly, you are required to file Federal income tax returns on Form 1120, annually with your District Director.

[REDACTED]

If you do not agree with these conclusions, you may within 30 days from the date of this letter, file a brief of the facts, law and arguments (in duplicate) which clearly sets forth your position. In the event you desire an oral discussion of the issues, you should so indicate in your submission. A conference will be arranged in the Regional Office after you have submitted your brief to the Chicago District Office and we have had an opportunity to consider the brief and it appears that the conclusions reached are still unfavorable to you. Any submission must be signed by one of your principal officers. If the matter is to be handled by a representative, the Conference and Practice Requirements regarding the filing of a power of attorney and evidence of enrollment to practice must be met. We have enclosed Publication 392, Exempt Organization Appeal Procedures for Adverse Determinations, which explains in detail your rights and procedures.

If we do not hear from you within 30 days from the date of this letter this determination will become final.

You are required to file Federal Income Tax Returns.

Please keep this determination letter in your permanent records.

If you agree with this determination please sign and return the enclosed Form 6018.

Very truly yours,

[REDACTED]  
District Director

Enclosures:  
Publication 892  
Form 6018